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Dated: October 7, 2005

Signature: 

(Beverly S. Carter)

TFW

PATENT

Docket No. 393032020000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Motoichi TAMURA

Application No.: 09/667,945

Group Art Unit: 2655

Filed: September 22, 2000

Examiner: Michael N. Opsasnick

For: METHOD AND APPARATUS FOR
PRODUCING A WAVEFORM USING A
PACKET STREAM

TRANSMITTAL LETTER

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicant requests that the enclosed examination report, issued on September 8, 2005 in the corresponding European Patent Application No. 00120871.9, be placed in the above-identified application. The documents cited in this examination report were previously cited by or submitted to the Patent Office. The Examiner is requested to make this document of record.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Director to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit**

Account No. 03-1952 referencing 393032020000. However, the Director is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: October 7, 2005

Respectfully submitted,

By: 

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Eingang / Received / Reçu:

et

09. Sep. 2005

KEHL & ETTMAYR
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Primary Examiner +49 89 2399-2478
(substantive examination)

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(Formalities and other matters)



Application No. 00 120 871.9 - 2218	Ref. Pat 1430/26-EP	Date 08.09.2005
Applicant YAMAHA CORPORATION		

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



Feron, M
Primary Examiner
for the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)

**Bescheid/Protokoll (Anlage)**

Datum
Date 08.09.2005
Date

Communication/Minutes (Annex)

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Sheet 1
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Notification/Procès-verbal (Annexe)

Anmelde-Nr.:
Application No.: 00 120 871.9
Demande n°:

The examination is being carried out on the **following application documents**:

Description, Pages

1-67 as originally filed

Claims, Numbers

1-15 as originally filed

Drawings, Sheets

1/13-13/13 as originally filed

D1: EP-A-0 907 160 (YAMAHA CORP) 7 April 1999 (1999-04-07)

D2: US-A-5 300 724 (MEDOVICH MARK) 5 April 1994 (1994-04-05)

D3: US-A-5 602 356 (MOHRBACHER BERNARD) 11 February 1997 (1997-02-11)

1. The application is contrary to the clarity and conciseness requirements of Art 84 EPC and is also contrary to the requirements of Rule 29(2)EPC because it includes too many independent claims in the same category; this multiplicity obscures the scope of the claims. Only one claim in each category is allowable for the present alleged invention.

2. No detailed examination can be carried out before the above objections are overcome. However it is pointed out that the closest prior art is considered to be D1 and that the many independent claims appear to claim, insofar as they can be understood, different concepts which lack unity of invention in the sense of Art.82 EPC with one another a posteriori over D1.

**Bescheid/Protokoll (Anlage)**

Datum
Date
Date 08.09.2005

Communication/Minutes (Annex)

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Sheet
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Notification/Procès-verbal (Annexe)

Anmelde-Nr.:
Application No.: 00 120 871.9
Demande n°:

The applicant is therefore requested to clearly state which one of these concepts it intends to pursue, and why it should be considered to be novel and inventive over D1.

4. Rules 27(1)b, 29(1) and 29(7) currently are not met.

At least D1 should be cited in the description as the applicant's own prior art, and the independent claims should include reference signs according to rule 29(7)EPC and be cast in two part form based on the disclosure of D1.